

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COMMONWEALTH OF MASSACHUSETTS,
Plaintiff

v.

SIMON PROPERTY GROUP, INC.,
Defendant

Civil Action No. 04-12422-RCL

**ASSENTED TO MOTION TO EXTEND TIME
FOR DEFENDANT SIMON PROPERTY GROUP, INC.
TO RESPOND TO PLAINTIFF'S MOTION TO REMAND**

This is a civil enforcement action originally brought by the Attorney General, on behalf of the Commonwealth, in state court and removed by Simon Property Group, Inc. ("Simon") on November 17, 2004. The Attorney General filed a Motion to Remand, to which a response is currently due on January 14, 2005. Simon requested an extension, which was agreed upon, until Friday, January 28, 2005 to respond to the Attorney General's Motion to Remand. Simon further states as follows:

1. Simon initially filed a declaratory judgment action in this Court on November 12, 2004. Shortly thereafter, the Attorney General filed this enforcement action in state court, which Simon removed on November 17, 2004.
2. The Attorney General filed a Motion to Remand this action, to which a response is currently due on January 14, 2005.
3. On January 11, 2005, the Attorney General filed a Motion to File New Authority in Support of its Motion to Remand.
4. The Attorney General's Office has agreed to an extension of time for this response until Friday, January 28, 2005.

5. This extension will not result in the continuance of any hearing, conference or trial.

SIMON PROPERTY GROUP, INC.,

Defendant

/s/ Margaret M. Pinkham

Paul W. Shaw (BBO No. 455500)

Margaret Pinkham (BBO No. 561920)

Daniel J. Brown (BBO No. 654459)

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Dated: January 13, 2005

**CERTIFICATION OF COMPLIANCE
WITH LOCAL RULE 7.1(A)(2)**

Pursuant to Local Rule 7.1(A)(2), undersigned counsel hereby certifies that plaintiff's counsel was contacted in a good faith effort to resolve or narrow the issues presented by this motion.

Counsel for plaintiff has assented to this motion.

/s/ Margaret M. Pinkham

Dated: January 13, 2005

Margaret M. Pinkham

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties below by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

Pamela S. Kogut, Esq.
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Dated: January 13, 2005

/s/ Margaret M. Pinkham
Margaret M. Pinkham

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